

HOUSE BILL 914

Unofficial Copy  
D4  
HB 194/00 - JUD

2001 Regular Session  
1r1770  
CF 1r0895

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By: **Delegates Montague, Klausmeier, and O'Donnell**

Introduced and read first time: February 9, 2001

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Foster Parents**

3 FOR the purpose of setting forth certain rights of foster parents in the State; and  
4 generally relating to foster care.

5 BY adding to  
6 Article - Family Law  
7 Section 5-504  
8 Annotated Code of Maryland  
9 (1999 Replacement Volume and 2000 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Family Law**

13 5-504.

14 FOSTER PARENTS IN THIS STATE HAVE THE FOLLOWING RIGHTS:

15 (1) THE RIGHT, AT THE INITIAL PLACEMENT, AT ANY TIME DURING THE  
16 PLACEMENT OF A CHILD IN FOSTER CARE, AND AS SOON AS PRACTICABLE AFTER  
17 NEW INFORMATION BECOMES AVAILABLE, TO RECEIVE FULL INFORMATION FROM  
18 THE CASEWORKER, EXCEPT FOR INFORMATION ABOUT THE FAMILY MEMBERS THAT  
19 MAY BE PRIVILEGED OR CONFIDENTIAL, ON THE PHYSICAL, SOCIAL, EMOTIONAL,  
20 EDUCATIONAL, AND MENTAL HISTORY OF A CHILD WHICH WOULD POSSIBLY AFFECT  
21 THE CARE PROVIDED BY A FOSTER PARENT;

22 (2) WITH REGARD TO THE LOCAL DEPARTMENT OF SOCIAL SERVICES  
23 CASE PLANNING, THE RIGHT TO:

24 (I) EXCEPT FOR MEETINGS COVERED BY THE ATTORNEY-CLIENT  
25 PRIVILEGE OR MEETINGS IN WHICH CONFIDENTIAL INFORMATION ABOUT THE  
26 NATURAL PARENTS IS DISCUSSED, BE NOTIFIED OF, AND WHEN APPLICABLE, BE  
27 HEARD AT SCHEDULED MEETINGS AND STAFFINGS CONCERNING A CHILD IN ORDER  
28 TO ACTIVELY PARTICIPATE, WITHOUT SUPERSEDING THE RIGHTS OF THE NATURAL

1 PARENTS TO PARTICIPATE AND MAKE APPROPRIATE DECISIONS REGARDING THE  
2 CHILD, IN THE CASE PLANNING, ADMINISTRATIVE CASE REVIEWS,  
3 INTERDISCIPLINARY STAFFINGS, AND INDIVIDUAL EDUCATIONAL PLANNING AND  
4 MENTAL HEALTH TEAM MEETINGS;

5 (II) BE INFORMED OF DECISIONS MADE BY THE JUVENILE OR  
6 FAMILY COURTS OR A CHILD WELFARE AGENCY CONCERNING A CHILD; AND

7 (III) PROVIDE INPUT CONCERNING THE PLAN OF SERVICES FOR A  
8 CHILD AND TO HAVE THAT INPUT GIVEN FULL CONSIDERATION BY THE LOCAL  
9 DEPARTMENT OF SOCIAL SERVICES; AND

10 (3) THE RIGHT TO BE GIVEN REASONABLE WRITTEN NOTICE, WAIVED  
11 ONLY IN CASES OF A COURT ORDER OR WHEN A CHILD IS DETERMINED TO BE AT  
12 IMMINENT RISK OF HARM, OF:

13 (I) PLANS TO TERMINATE THE PLACEMENT OF A CHILD WITH A  
14 FOSTER PARENT; AND

15 (II) THE REASONS FOR THE CHANGE OR TERMINATION OF  
16 PLACEMENT.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2001.